



PATENT

Attorney Docket: P01936US4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: **Marshall, William E.** ART UNIT: **1645**
SERIAL NO: **09/193,653** EXAMINER: **Zeman, R.**
FILED: **November 17, 1998**
TITLE: **METHODS AND COMPOSITIONS FOR MODULATING IMMUNE
SYSTEMS OF ANIMALS**

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The owner, Immunom Technologies, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,840,318. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant

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CERTIFICATE OF MAILING

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 23 day of October, 2000.

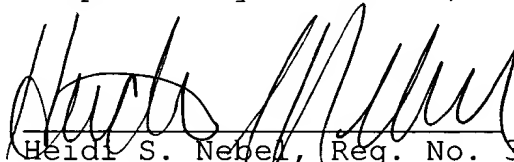
Heidi S. Nebel

application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

A check in the amount of \$55.00 to cover the fee for a terminal disclaimer under 37 CFR 1.20(d) is included. Please charge any deficiencies or credit any overpayment to Deposit Account No. 26-0084.

Respectfully submitted,



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